

Faulk, Camilla

From: Richard A. Weyrich [richardw@co.skagit.wa.us]
Sent: Tuesday, April 26, 2011 12:38 PM
To: Faulk, Camilla
Cc: Tom McBride
Subject: FW: Witness Recording Criminal Court Rule

From: Vickie L. Maurer
Sent: Tuesday, April 26, 2011 8:40 AM
To: Richard A. Weyrich
Subject: FW: Witness Recording Criminal Court Rule

Camilla.Faulk@courts.wa.gov

From: Richard A. Weyrich
Sent: Tuesday, April 26, 2011 8:01 AM
To: Vickie L. Maurer
Subject: FW: Witness Recording Criminal Court Rule

Dear Ms. Faulk,

I am the Prosecuting Attorney for Skagit County. I am opposed to the new Court rule regarding recordings. Personally I feel that they do preserve what is said and make cases easier to deal with. We make it a practice to record every interview that we can. I would say that at least 95% of the people interviewed, and probably more see the value in the recording and willingly accept having it recorded. There are those few victims who have been so traumatized that they do not wish it done. They did not ask to be victims. For the most part they were just living their lives when fate brought them together with the accused. They should not have to be victimized again. I am not the one who is on the front line dealing with victims and so this office's position is best stated by one of my victim advocates as stated below. I urge the Court to reject this proposed new rule.

Richard Weyrich
Skagit County Prosecuting Attorney

From: Karen M. Thomas
Sent: Monday, April 25, 2011 4:09 PM
To: Richard A. Weyrich
Subject: RE: Witness Recording Criminal Court Rule

Hi Rich,

I consistently hear from my victims they feel they do not have any rights. I also hear them say from time to time that they have decided to "plead the fifth". It is difficult to explain to them that although they have a few rights, the majority of the rights are on the other side of the fence, in the defendant's backyard and the defense actually has the right to talk to them regarding the criminal case. Taking away their right to consent to a recorded interview would be hard to explain away when defendants have the right to silence and the right to refuse being tape recorded if they choose to communicate with LAWE. I find that my victims are grasping for any shred of dignity they can and one way for them to assert their dignity is to have some choices in the journey they are taking through the legal system. The right to consent to a tape recording or not is one of those few choices.

It is also important to note that the interviews these witnesses/victims are doing are voluntary and not under court order, so it seems appropriate for the interview to adhere to the nature of the setting.

I forwarded your email onto Ed as I am sure he will have a thing or two to say about this hot topic☺

Karen M Thomas
Victim/Witness Advocate

*Domestic Violence Unit
Skagit County Prosecuting Attorney
605 So. Third
Mount Vernon, WA 98273
360.336.9460 (FAX 360.336.9347)
karent@co.skagit.wa.us*
